

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	
v.)	CRIMINAL NO. 05-30026-MAP
)	
)	
CARLOS SALVATE,)	
Defendant.)	

THE GOVERNMENT'S AND THE DEFENDANTS' STATUS
REPORT PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Attorney Jeffrey Brown, counsel for Defendant, hereby submit the following status report pursuant to Local Rule 116.5(A) and Magistrate Judge Neiman's written orders.

1. The parties agree that this is not a complex case and therefore relief from the timing requirements imposed by Local Rule 116.3 is unnecessary.
2. The government has provided automatic discovery to the defendant pursuant to Fed.R.Crim.P. 16.1 (C) and 116.2 of the Local Rules of the United States. The government has requested reciprocal discovery pursuant to Fed.R.Crim.P. 16(B)(1)(C).
3. The parties agree that it is premature for a motion date to be established under Fed.R.Crim.P. 12(c).
4. The parties agree that the time from the Defendant's

initial appearance, May 20, 2005, through the present is excludable from the Speedy Trial Act in the interests of justice pursuant to 18 U.S.C. Section 3161(h)(8)(A) and Local Rule 112.2(A)(1),(2), and (3). Accordingly, the government requests that the Court issue an order indicating that the time from arraignment to the present is excludable pursuant to Local Rule 112.2(B).

5. The parties anticipate this case will be resolved through a change of plea.
6. The parties agree that it is premature to establish a final status conference at this time.
7. Attorney Jeffrey Brown has reviewed the above document and agreed to the above listed terms and conditions.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney

Jeffrey Brown, Esq.
Counsel for Carlos Salvate